

REMARKS

The forgoing amendments to the specification are made to insert the required SEQ ID NO identifiers associated with each listed sequence. Enclosed with this paper is a Substitute Sequence listing; and a statement attesting to the identity of the Substitute Sequence Listing with the Computer Readable Form of the Sequence Listing, also provided. These are provided in response to the objections raised by the examiner to the Sequence Listing in the application. A copy of the Notice To Comply is also enclosed with this paper.

The claims in the case are Claims 49 and 50, corresponding to Claims 10 and 11, the elected claims which have been examined. These claims relate to the isolated human NAALAD-ase L polypeptides, having the amino acid sequence set forth in SEQ ID NO:35. These Claims provide sequence ID references, as has the specification to include the sequences of the splice variants. The non-elected claims have been deleted. Applicants reserve the right to file additional applications claiming the subject matter of the deleted claims at some future date.

THE REJECTION UNDER 35 U.S.C. § 101

The Office Action has rejected the claims under 35 U.S.C. § 101, asserting that the claim does not distinguish the claimed proteases from a product of nature. In response, the new claims, adding the modifier "isolated" to the subject matter obviates the basis for the rejection. Reconsideration and withdrawal of this aspect of the rejection are respectfully requested.

THE REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The Office Action has rejected the claims under 35 U.S.C. § 112, first paragraph, asserting that the application lacks description as well as enablement. The specific insertions and deletions of the identified sequences have been included in the claims, thereby obviating the rejection. Applicants respectfully traverse the rejection.

THE REJECTION UNDER 35 U.S.C. § 102

The Office Action has rejected the claims under 35 U.S.C. § 102, over two references sharing about 87% identity with the subject matter claimed. The new claims are directed to the specific sequences supported by Applicant's specification and are novel over the references. Applicants respectfully traverse the rejection.

CONCLUSION

The Examiner is respectfully requested to reconsider and withdraw the rejections. Applicants submit the Application is now in condition for allowance and respectfully requests early notice to that effect.

Should the Examiner feel that telephonic communication with Applicants' representative would further the prosecution of the instant application, he is invited to telephone the undersigned.

PETITION FOR EXTENSION OF TIME

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated May 5, 2006 for three (3) months from August 5, 2006 to November 6, 2006. Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No 10-0750/JAB1407/LAD2 for any such fees; and applicants hereby petition for any needed extension of time.

Please charge Deposit Account No. 10-0750/JAB1407/LAD2 in the name of Johnson & Johnson for the cost of filing this Petition. Three copies of this page are included with this paper.

Respectfully submitted,

By: /Hesna J. Pfeiffer/

Hesna J. Pfeiffer, Reg. No. 22,640

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
(732) 524-2830
Date: November 6, 2006

Enclosures: 59 Sequence Listing pages, computer diskette, Statement in support of filing and submission, Notice to Comply, 3 copies of this page.

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